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Electronic filing

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St., S.W., Room TWB-204
Washington, D.C. 20554

RE: In the Matter of Appropriate Framework for Broadband
Access to the Internet Over Wireline Facilities, CC
Docket Nos. 95-20, 98-10, and 02-33

In the Matter of Review of the Section 251 Unbundling
Obligations of Incumbent Local Exchange Carriers, CC
Docket Nos. 01-338, 96-98 and 98-147

Dear Ms. Dortch:

Today, the undersigned as former general counsel to the F.C.C. and contributing editor to Tech Central Station, discussed with Commissioner Kevin J. Martin matters related to the referenced proceedings. Specifically, we discussed my written submissions concerning the role of States under the Constitution and the 1996 Telecommunications Act in the implementation of unbundling rules; necessity and impairment presumptions related to the local phone network and unbuilt fiber lines; exceptions adjudicated by state public utility commissions; unbundling guidelines issued by the F.C.C.; and, Commission deference due Congress in considering a rule that failed to command a consensus in the House and Senate. We further discussed the importance of adhering to an institutional federalism partnership with States despite possible delay in achieving desired policy objectives. My comments were consistent with my written submissions.

This Notice is being submitted electronically in each of the referenced proceedings, in accordance with Commission rules.

Sincerely,

Bruce Fein

cc: Commissioner Martin